



**U.S. Department of Justice**

**Office of Legislative Affairs**

Office of the Assistant Attorney General

Washington, D.C. 20530  
January 29, 2001

**MEMORANDUM FOR THE ACTING ATTORNEY GENERAL**

**FROM:** Sheryl L. Walter *Sheryl Walter*  
**SUBJECT:** Weekly Report for January 29, 2001 - February 2, 2001

**THE WEEK AHEAD**

**FISA:** On January 29, Jim Baker from OIPR, along with a representative from FBI, will brief staff of the House Permanent Select Committee on Intelligence on the FISA semi-annual report released last December and on recent new requirements established by the FISA court on certain categories of FISA applications.

**Drug Enforcement Agency (DEA):** We are in discussions with the House Committee on Government Reform respecting requested interviews of DEA supervisory personnel, including Administrator Donnie Marshall. It appears that the focus of the Committee's inquiry is shifting from concern that political interference may have stopped a drug investigation in Houston (the subject of December hearings) to allegations that minority supervisors in DEA discriminate against white employees. We expect the interviews to take place January 31- February 2, 2001.

**THE WEEK IN REVIEW**

**Presidential Pardons of Marc Rich and Pincus Green:** On January 26, 2001, we received two letters from Chairman Burton of the House Government Reform Committee, seeking documents and information about President Clinton's pardons of fugitives Marc Rich and Pincus Green. The Committee requested information by today and documents by February 1, 2001. These requests are under review within the Department and we will advise Committee staff that we need additional time to complete our evaluation.

**Religious Freedom Restoration Act (RFRA):** An interdepartmental RFRA working group continues to meet on the petition by one Oregon church (Santo Daime) and lawsuit by another New Mexico church (Uniao Do Vegetal (UDV)) under the Religious Freedom Restoration Act to be allowed to use a tea (the same tea in each case) containing Dimethyltryptamine in their religious ceremonies. The Department filed a brief on Thursday, January 25 in the UDV matter. Several members of Congress have expressed continued interest in our application of RFRA in these instances, particularly with respect to the Santo Daime.

**The President's Education Proposal:** We are awaiting a description of the Administration's proposed education reform plan, which we expect will serve as the basis for the draft legislation. The concepts were transmitted to the Hill on January 23. It is anticipated that the legislation itself will be drafted by Congress. The Senate Democrats have already introduced education legislative proposals.

**CI-21:** On January 26, OIPR head Fran Fragos Townsend, along with representatives from FBI, CIA, and DoD, briefed staff of the Senate Select Committee on Intelligence on the status of implementing the CI-21 initiative.

**Wen Ho Lee:** Draft responses to questions for the record from Senator Leahy, in follow up of the September 26 and 27 hearings, are pending in the Criminal Division. Responses to document requests for sealed records and deliberative materials have been deferred while activities related to open matters in the case continue; Committee staff have been informed of this. Declassification of the Bellows report remains pending at the Federal Bureau of Investigation. No further hearings are scheduled at this time.

A letter to the Intelligence Committees and the Senate Judiciary Committee on Dr. Lee's conditions of confinement was sent on January 20.

**Nominations:** On January 19, the White House recess appointed Sarah Wilson to be a judge on the U.S. Court of Federal Claims. At Senator Leahy's request, the Senate Judiciary Committee held over the nomination of John Ashcroft to be Attorney General until this week. His nomination was formally sent to the Senate on January 29<sup>th</sup>. Senate Judiciary Committee Ranking Minority Member Leahy announced today that he would not support the nomination but that he would also not support a filibuster.